

anticipated by one of them and claims 33 and 34 as anticipated over the other one. Again, it should be noted for the record that the Examiner did not call the undersigned back to report that she was conducting further searches and that the case would not be passed to issue. While the undersigned and his client were waiting for the Notice of Allowance time was being wasted which could have been put to better use. The Examiner should have contacted the undersigned, cited the two references and given the Applicant a chance to file a supplemental amendment to the one filed in May to distinguish the claims. Alternatively, she could have set up a telephone interview to accomplish the same. As the Applicant has been on travel this response is beyond the three month statutory response time and a Request for an Additional Month in which to respond is filed herewith

**Rejection of claims 4, 5, 9, 28, 33 and 34 have been rejected under 35 U. S. C. 102 (b) over Leung No. 5,558,718 and Leung No. 5,517,084**

The newly cited reference to Leung, No. 5, 558,718 has been cited as anticipating the four claims noted above. The Examiner states that '718 discloses a method of ion implantation doping in a vacuum wherein plasma is involved in virtually 100% ionized pure boron plasma inferring that there are no other ionized atom species and no other non-ionized gas atoms in the plasma source. She cites portions of the patent to support this. Claim 5, 9, 28 and 33 are similarly rejected. While the applicant does not agree with these rejections in that the patents to Leung are not anticipatory or even suggestive of this invention

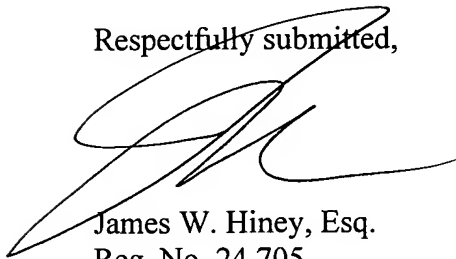
However, in view of the claims allowed by the Examiner and those indicated

allowable it is felt that sufficient coverage has been attained for the invention and accordingly claims 4, 5, 9, 28, 33 and 34 have been cancelled.

Claim 29 has been rewritten in independent form and has been indicated allowable by the Examiner if the contents of claim 28 were incorporated therein.

Accordingly, an early passage to issue in this application is earnestly solicited. If the Examiner has any questions or further issues she is invited to call the undersigned at his Northern Virginia office at (703) 754-1860. A copy of the claims as amended is submitted herewith.

Respectfully submitted,



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#### Certificate of Mailing

I, James W. Hiney, do hereby certify that an executed copy of this response, together with a Request for an additional month, including a check for the fee, was deposited, Express Mail No. EQ 536876985 US prepaid, with the United States Postal Service, this 2<sup>nd</sup> day of October, 2006,



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James W. Hiney